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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)
GRLK-P121-US

First named inventor: Carlo Neri

Application No.: 09/692,025

Art Unit: 1796

Filed: December 19, 2007

Examiner: Joseph David Anthony

Title: Mixtures of additives for organic polymers in granular form

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity - fee \$ 1,540 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of Continuation Application (identify type of reply):

- ☐ has been filed previously on _____.
- ☒ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ _____.

- ☐ has been paid previously on _____.
- ☐ is enclosed herewith.

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This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

s/Cedric Axel D'Hue/
Signature

Cedric A. D'Hue
Typed or printed name

300 North Meridian Street, Suite 2700, Indianapolis, IN 46231
Address

Address

January 18, 2008
Date

58,241
Registration Number, if applicable

317-237-1195
Telephone Number

Enclosures: ☒ Fee Payment

☒ Reply

☐ Terminal Disclaimer Form

☒ Additional sheets containing statements establishing unintentional delay

☒ Other: Continuation Application

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.
☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

Date

Signature

Typed or printed name of person signing certificate

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.	:	09/692,025	Confirmation No.:	5441
Applicant	:	Carlo Neri et al.		
Filed	:	October 19, 2000		
Title	:	MIXTURE OF ADDITIVES FOR ORGANIC POLYMERS IN GRANULAR FORM		
TC/A.U.	:	1796		
Examiner	:	Joseph Anthony David		
Docket No.	:	GRLK-P121-US		
Customer No.	:	27268		

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**STATEMENT OF FACTS IN SUPPORT OF THE PETITION TO
REVIVE AN UNINTENTIONALLY ABANDONED APPLICATION**

Sir:

On December 19, 2007, Applicant uploaded documents for electronically filing a continuation application of the above referenced patent application. As evidenced by the attached Saved Applications for Later Submission, dated December 20, 2007, Applicant uploaded the attached: (1) Transmittal of New Application, (2) Fee Worksheet, (3) Parent Patent Application including Specification, Claims, and Abstract, (4) Declaration, (5) Application Data Sheet, (6) Preliminary Amendment signed by Tom Ladd, and (7) Electronic Fee Worksheet. In error, the Saved Applications for Later Submission was never submitted and was deleted on December 28, 2007. On, January 17, 2008, Applicant discovered the error. Applicant intended to file a continuation patent application prior to the deadline of January 14, 2008. Applicant submits documents for electronically filing the continuation application, signed by Cedric D'Hue. The entire delay in filing the continuation patent application from the due date deadline until the filing of a grantable petition under 37 C.F.R. § 1.137(b) was unintentional.

Application No. 09/692,025

Statement of Facts in Support of the Petition to Revive an Unintentionally Abandoned Application

Applicant requests that any required fees needed beyond those submitted with the accompanying petition be charged to the account of Baker & Daniels, Deposit Account No. 02-0390.

Respectfully submitted,

s/Cedric A. D'Hue/

Cedric A. D'Hue, Reg. No. 58,241

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